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ABSTRACT

Presented at a 2-day seminar at the School of Education, University of New South Wales, Australia, this paper reviews theories and research findings concerning the development of children's sense of justice. Part I of the paper briefly discusses Jean Piaget's and Lawrence Kohlberg's theories concerning the development of children's moral judgments, as well as research findings on the type of social environment which promotes the development of children's sense of justice. Part II outlines some limitations of Kohlberg's theory of moral development as it relates to women. Descriptions of Kohlberg's moral development stages, and Giligan's (1977) conception of the development of women's moral judgments are included in appendices. (Author/MP)

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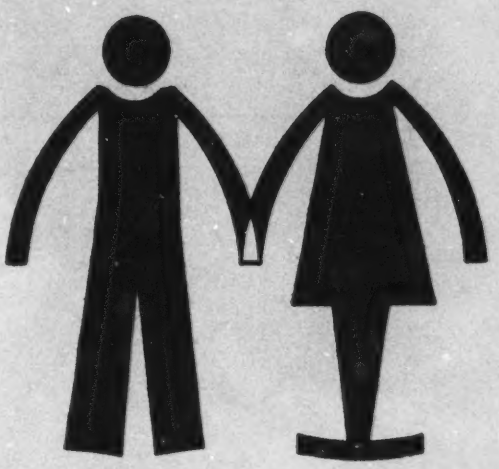

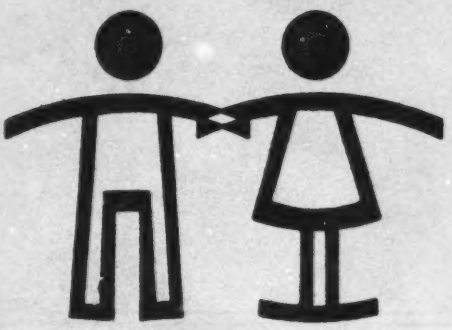

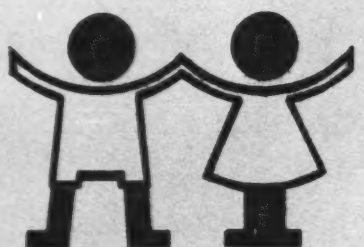

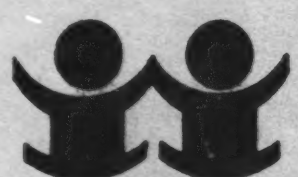

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CHILDREN'S DEVELOPING SENSE OF JUSTICE

Ms HEDDA BLACK

CHILDREN'S DEVELOPING SENSE OF JUSTICE

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PART I

Theories of the Development of a Child's Sense of Justice

"Mum, that's just not fair!" is a familiar cry uttered by a seven to nine year old enraged child. It may arise from a resolution of a conflict situation involving a parent, another adult, a peer and fairly often, a sibling. This vivid sense of fairness emerges in children sometime between seven and eight years.

Jean Piaget's Theory

The Swiss psychologist, Jean Piaget, in the 1930's became interested in one important aspect of moral development - the development of moral judgement which refers to how one judges other people's actions in terms of right or wrong. Piaget started by looking at children's attitudes to the rules of playing marbles. He extended his studies to the child's use and interpretation of rules in a variety of conflict situations. His interest was based on the proposition that "the essence of all morality is to be sought for in the respect which the individual acquires ... a system of social rules" (Piaget, 1932, p 1). In the responses of the children, Piaget (1932/1965) was able to discern two orientations. The first, the stage of heteronomy (subjection to an external law) characteristic of a child six to eight years, represents a morality of obedience, of constraint. For example: you do not steal, because a rule against stealing exists. The child at this stage considers rules as fixed and external things, obligatory and immutable.

The second stage, of equality or co-operation established at ten to twelve years, is characterised by the appearance of reciprocity. This is the ability to take the role of the other and to think of the other as equal to oneself: the child now considers rules as the result of an agreement among contemporaries. Human actions are judged by intentions and motives as well as consequences of actions. Children are now motivated in their relationships to others by mutual respect for others, who likewise realize that by co-operating they can do much together in creating a co-operative social system. From Piaget's point of view, the child's concept of justice thus centres on a social system where there is balance and co-ordination of the interests of the individuals who are participating in it. In other words, each is given his fair share. This applies to any social system, be it the world community, a local community, a school or a family unit.

Lawrence Kohlberg's Theory

Lawrence Kohlberg of Harvard University has developed Piaget's work further. Kohlberg's method of studying moral judgement is to present a person with a moral dilemma and ask him to describe how he would solve it. Heinz and the Drug dilemma is one such story that has been presented to children and adults in the United States, Turkey, Mexico and the South Pacific.* Kohlberg found that one could classify people's responses into a six stage scheme (now modified to five stages due to the rarity of Stage Six responses).** The five stages represent the evolving basic structures or organizing principles for the way a person perceives his social world and the way he goes about solving the moral problems that arise between self and other. There is evidence that the five stages form an invariant sequence, that is, stage changes tend to be upward and stable. (Turiel, 1966; Rest, Turiel and Kohlberg, 1969; Blatt & Kohlberg, 1975). They are said to be developmental in the sense that children's level of moral judgement increases with age. Higher stages are considered to be "better" in that they provide the child with more adequate conceptual tools. As children attain higher levels of moral judgement they come to see new and more facets of a moral dilemma; they take more things into account; they see more clearly implications of actions and come to understand and rediscover basic concepts in moral philosophy such as reciprocity. Reciprocity refers to a structure or organization of thought, characterised by a motivation to be moral, where a person's ego boundaries are extended to include others in a social system of "mutual repsect".

In constructivist cognitive development theories these developing structures or patterns of thought are not considered to be passively absorbed by the child from outside. On the contrary, the human subject is portrayed as gradually constructing a sequence of structures of moral judgement by interacting with his social environment. The three tables in Appendix A present Kohlberg's scheme, along with typical answers to each stage of the Heinz dilemma.

An understanding of the developing nature of the structures that underlie the child's sense of justice leads to an appreciation of the difficulty of resolving conflicts between people at different stages. For example, a six year old, who still has an obedience orientation (stage one), where rules are seen as fixed and immutable, is likely to become quite distraught and feel his sense of justice offended when the older sibling wants to change the rules of a game. The older child understands that rules can be changed by mutual agreement of participants, that justice is maintained by "a shared perception of what is proper" (Cole and Pennington, 1976, p 412). It is probably only by explaining to the older child the younger one's limited development that one may "fairly" resolve the conflict.

RESEARCH ON PROMOTING THE DEVELOPMENT OF A SENSE OF JUSTICE

Research has investigated the type of social environment which promotes the development of the child's sense of justice. Piaget (1932/1965) stressed the benefit of children having experiences of interacting with others on an equal footing. He thought that a prime vehicle for such experiences was discussion among peers. "As the child grows up the prestige of older children diminishes ... he can discuss matters more and more as an equal and has increasing opportunity of freely contrasting his point of view with that of others" (Piaget, 1965, pp 95-96). Constraints, in the form of rules to be obeyed, imposed on the child by the parents without reason or explanation, will tend to hinder development. In contrast, the child's level of moral judgement will tend to develop when parents place themselves on the child's level, giving him a feeling of equality by refering to their own obligations, needs, difficulties and motivations.

* Outlined in Appendix A
** Outlined in Appendix A

This view is similar to that expressed in Hoffman's (1970) study of "inductive" discipline which stresses the importance of explaining to the child how his transgressions have hurt or distressed the parents or others. Surveying the results from a dozen correlation studies, Hoffman found consistently positive correlations between inductive discipline and various indices of moral maturity. Holstein (1972) investigated the influence of the quality of communication when family triads (mother, father and eighth-grade child) discussed their differences over a series of moral dilemmas. The quality of communication was measured by the length of family discussion time and parental encouragement of child participation and decision-making. Holstein found that parents who were taking the child's opinion seriously and encouraging his/her participation in the discussion had children relatively advanced in moral judgement.

A common feature of all these approaches is that they extend the child's range of role-taking opportunities. They may be expected to promote the development of reciprocity, a thought structure which seems to be at the heart of one's sense of justice.

Programmes involving group discussion of hypothetical moral dilemmas have also proved successful in promoting maturity of moral judgement (Hurt, 1974; Blatt, 1970; Carnegie Mellon Project, 1977). Relevant to the criterion of upward change are findings that children are motivated to formulate more adequate judgements when exposed to the next level above their own. They prefer the higher orientation reasoning on grounds of reasonableness and general appeal (Rest, 1973; Turiel & Kohlberg, 1969). It means that when one is explaining to a child what are the rights and wrongs of a situation, it is advisable to pitch the reasoning at a level one above the child's. For example, if a child at Stage Two,* the hedonistic orientation ("I won't steal from him, so that he will not steal from me") takes away another child's toy, he will be attracted to the Stage Three argument that appeals to the needs to share in mutual trust and to show good character. An explanation pitched at Stage Four, referring to the importance of preserving social order, would be ineffective.

Enright (1979) has criticised the discussion of hypothetical moral dilemmas model as being too remote from the child's own social experience to enable him/her to act upon his/her newly formed ideas. He developed a programme for two first grade classrooms which was successful in increasing children's level of moral judgement and social problem-solving. Though this programme was applied by teachers in a school setting it seems suitable for application by parents. One teacher was instructed to handle all interpersonal discipline problems between children that occurred throughout the day according to the following methods:

Whenever an interpersonal problem arose between children, the teacher would first ask the children to reflect on the interaction. For instance, if Billy has just argued with Tom, the teacher would ask Billy what the act meant to Billy and Tom's friendship. Once the child responded, the teacher would ask another question to challenge the thought. So, if Billy's previous interpersonal conception was "We're not friends because he bothered me", the teacher would have him reconsider the thought by asking, "Does he have to do something nice for you then for you to become friends?" The teacher then asked for an alternative to the child's behaviour. In Billy's case the question might be: "What did you do, and what could you have done differently?" Whenever the teacher saw a discrepancy between the child's thought and behaviour this was pointed out to him. The feature of the programme then was that after a child interacted with another he would be asked to reflect on the interaction, reflect on the thought, and consider discrepancies between thought and action.

* Outlined in Appendix A

The second teacher was not given any specific instructions on how to handle interpersonal problems arising among the first graders in her classroom. Each group of children was tested at the beginning and end of the eleven weeks long term. Results showed that after the eleven weeks children in Class 1 who had participated in the social cognitive educational programme scored higher than those in Class 2 on measures of moral judgement, interpersonal conceptions and social problem solving.

Currently, other approaches are being piloted. One new direction is to move into discussions which deal with actual group decisions and which lead to group action. Kohlberg and Wasserman (1976) at Harvard are experimenting with setting up a "just community" in a whole school, in which the major policy issues (e.g., dress codes, curriculum, discipline) are decided by group discussion and the democratic process. This type of programme is in line with Piaget's concept of an equilibrated social system discussed at the beginning of the paper. Participants actually practise adjudicating conflicts among each other and co-ordinating individual effort in ways that win support from the group.

Parents could apply the concept of a "just community" to the family unit by creating a social atmosphere where children experience the resolution of conflicts through discussions of fairness.

PART II

Limitations of Kohlberg's Theory of Moral Development as it Relates to Women

In the present social context in which the male perspective has higher status than that of the female, research has found that girls tend to have a "less developed sense of justice". Piaget (1932/1965), in his study of the rules of children's games, observed that in the games they played, girls were "less explicit about agreement (than boys) and less concerned with legal elaboration. In contrast to the boys' interest in the codification of rules the girls adopted a more pragmatic attitude, regarding a rule as good as long as the game repays it" (Piaget, 1965, p 83).

Kohlberg's (1971) research has led him to consider women to be typically at the Third Stage of his developmental sequence. At that stage the 'good' is identified with "what pleases or helps others and is approved by them" (p 164). This mode of judgement is conventional in its conformity to generally held notions of the 'good'. And yet, these very traits, that have traditionally defined the "goodness" of women, their care for and sensitivity to the needs of others, are those that mark them as deficient in moral development. The infusion of feelings into their judgement "keeps them from" developing a more independent and abstract ethical conception in which concern for others derives from principles of justice rather than from compassion and care. In Kohlberg's view, at the highest stages of development, morality is freed from a particular context, and an individual can judge independently of his particular needs and values of those around him. This orientation was well expressed by an eleven year old boy interviewed by Gilligan (1980): "A moral dilemma is a mathematics problem with humans", he said.

Research by Carol Gilligan of Harvard University (Gilligan, 1977) suggests that developmental theory has not given adequate expression of the concerns and experiences of women. She claims that females score low on Kohlberg's scheme because they have a different moral orientation, no less valid than the one postulated by Piaget and Kohlberg. In contrast to males, females make decisions based on a consideration of what is the best solution in a particular context, rather

than on the basis of abstract principles. "Does Heinz love his wife?" is an issue that arises in answering the Heinz dilemma. The thinking of girls is thus contextual. Another significant feature of women's sense of justice is concern with relationships and responsibility to others.

In a study of 11 year old boys and girls, Gilligan found that a girl tends to define herself in relationship to others. "Who are you?" - a boys says "I'm tall", a girl answers "I am kind to people". In their responses to the question "What does it mean to say something is morally right or wrong?" female college students often showed a concern with obligation and not hurting others. From interviews with women contemplating abortion, Gilligan (1977) was able to discern an alternative (to Kohlberg's) sequence for the development of women's moral judgement. It is set out in Appendix B.

It needs to be noted that Gilligan's scheme is based on only one published study. Her current investigations of the moral orientations of eleven year old boys and girls (personal communication, November, 1980) may well lead to an extension of her sequence towards lower levels characteristic of the moral judgement of younger subjects. These lower levels may possibly be identical to Kohlberg's early stages.

Gilligan has pointed out that this alternative moral obligation, though more common among females than males, is not exclusive to them. It is likely that there is a cross-over between the sexes in the way they construct their social world, as reflected in their understanding and resolution of the inevitable conflicts that arise in the relationship between themselves and others.

It seems that a more balanced concept of adulthood may be achieved, and relationships between the sexes may be enhanced, if each understands, accepts and shares part of the other's mode of judgement. This view has implications for socialisation of boys and girls.

Research on sex role stereotypes reported by Broverman et al. (1972) clearly indicates that girls' socialisation attempts to promote nurturance, obedience and warmth while boys' focuses on self-reliance, assertiveness and achievement. If little girls are going to go on being encouraged to do "what is good" and little boys to do "what is fair", these sex role differences are likely to continue. A greater understanding by parents and educators of the development of the two moral orientations is a first step towards raising children of either sex with a sense of justice tempered by compassion.

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APPENDIX A

Table 1 - Kohlberg's Definition of Moral Stages

1. *PRECONVENTIONAL LEVEL*

At this level the child is responsive to cultural rules and labels of good and bad, right or wrong, but interprets these labels in terms of either the physical or the hedonistic consequences of action (punishment, reward, exchange of favours) or in terms of the physical power of those who enunciate the rules and labels. The level is divided into the following two stages:

Stage 1: The punishment and obedience orientation

The physical consequences of action determine its goodness or badness regardless of the human meaning or value of these consequences. Avoidance of punishment and unquestioning deference to power are valued in their own right, not in terms of respect for any underlying moral order supported by punishment and authority (the latter being Stage 4).

Stage 2: The instrumental relativist orientation

Right action consists of that which instrumentally satisfies one's own needs and occasionally the needs of others. Human relations are viewed in terms of like those in the market place. Elements of fairness, of reciprocity and equal sharing are present, but they are always interpreted in a physical and pragmatic way. Reciprocity is a matter of "you scratch my back and I'll scratch yours", not of loyalty, gratitude or justice.

II. *CONVENTIONAL LEVEL*

At this level, maintaining the expectations of the individual's family, group, or nation is perceived as valuable in its own right, regardless of immediate and obvious consequences. The attitude is not only one of *conformity* to personal expectations and social order, but of loyalty to it, of actively *maintaining*, supporting, and justifying the order and of identifying with the persons or group involved in it. At this level, there are the following stages:

Stage 3: The interpersonal concordance of "good boy - nice girl"

Good behaviour is that which pleases or helps others and is approved by them. There is much conformity to stereotypical images of what is majority or "natural" behaviour. Behaviour is frequently judged by intention - "he means well" becomes important for the first time. One earns approval by being "nice".

Stage 4: The "law and order" orientation

There is orientation toward authority, fixed rules, and the maintenance of the social order. Right behaviour consists of doing one's duty, showing respect for authority and maintaining the given social order for its own sake.

III. *POST-CONVENTIONAL, AUTONOMOUS, OR PRINCIPLED LEVEL*

At this level there is a clear effort to define moral values and principles which have validity and application apart from the authority of the groups or persons holding these principles and apart from the individuals own identification with these groups. This level again has two stages:

Stage 5: The social-contract legalistic orientation

This stage generally has utilitarian overtones. Right action tends to be defined in terms of general individual rights and in terms of standards which have been critically examined and agreed upon by the whole society. There is a clear awareness of the relativism of personal values and opinions and a corresponding emphasis upon procedural rules for reaching consensus. Aside from what is constitutionally and democratically agreed upon, the right is a matter of personal "values" and "opinion". The result is an emphasis upon the possibility of changing law in terms of rational considerations of social utility, (rather than freezing it in terms of Stage 4 "law and order"). Outside the legal realm, free agreement, and contract is the binding element of obligation. This is the "official" morality of the American government and Constitution.

Table 2 - Example of Hypothetical Moral Dilemma

HEINZ AND THE DRUG

In Europe a woman was near death from a special kind of cancer. There was one drug doctors thought might save her. It was a form of radium that a druggist in the same town had recently discovered. The drug was expensive to make, but the druggist was charging ten times what the drug cost to make. He paid $200 for the radium and charged $2,000 for a small dose of the drug. The sick woman's husband, Heinz, went to everyone he knew to borrow money, but he could only get together about $1,000 which is half of what it cost. He told the druggist that his wife was dying, and asked him to sell it cheaper or let him pay later. But the druggist said, "No, I discovered the drug and I am going to make money from it". So Heinz got desperate and began to think about breaking into the man's store to steal the drug for his wife.

Table 3 - Should the Husband Have Done That? Why?

Examples of statements at the Five stages in Response to the drug story.

Stage 1

Pro: It isn't really bad to take it - he did ask to pay for it first. He wouldn't do any other damage or take anything else and the drug he'd take is only worth $200, he's not really taking a $2,000 drug.

Con: If Heinz's wife dies, he can't be blamed in these circumstances. You can't say that he is a heartless husband just because he won't commit a crime. The druggist is the selfish and heartless one in this situation. Heinz tried to do everything he really could.

Stage 4

Pro: The druggist is leading a wrong kind of life if he just lets somebody die. You can't let somebody die like that, so it's Heinz's duty to save her. But Heinz can't just go around breaking laws and let it go at that - he must pay the druggist back and must take his punishment for stealing.

Con: It is a natural thing for Heinz to want to save his wife, but it's still always wrong to steal. You have to follow the rules regardless of how you feel or regardless of the social circumstances.

Stage 5

Pro: Before you say stealing is wrong, you've got to really think about this whole situation. Of course, the laws are quite clear about breaking into a store. And, even worse, Heinz would know there were no legal grounds for his actions. Yet, I can see why it would be reasonable for anybody in this kind of situation to steal the drug.

Con: I can see the good that would come from illegally taking the drug, but the ends don't justify the means. You can often find a good end behind illegal action. You can't say Heinz would be completely wrong to steal the drug, but even these circumstances don't make it right.

APPENDIX B

Gilligan's Sequence for the Development of Women's Moral Judgements

	Examples
Level 1: Orientation to Individual Survival Focus on self and survival. "Should" is undifferentiated from "would".	Q. "What did you think when you found yourself pregnant?" A. "I didn't want it, I wasn't ready for it, and next year will be my last year and I want to go to school."
First Transition: Responsibility This issue is one of attachment or connection to others. The growth from childhood to adulthood is conceived as a move from selfishness to responsibility. Distinction seen between "would" and "should", between "wish" and "responsibility". This transition requires a conception of self which includes the possibility for doing "the right thing", the ability to see in oneself the potential for social acceptance	"What I want to do is to have a baby, but what I should do ... is to have an abortion right now, because sometimes what you want isn't right."
Level 2: Goodness as Self Sacrifice Woman adopts societal values. Moral judgement comes to rely on shared norms and expectation. "Goodness" becomes the overriding concern as survival is now seen to depend on acceptance by others. *The conventional concept of feminine goodness emerges.* The attributes considered desirable for women all presume "an other", a recipient of her "tact, gentleness and easy expression of feeling" which allow the woman to respond sensitively. Feminine goodness is often identified with self sacrifice. The woman at this level considers herself	"I never want to hurt anyone, and I tell them in a very nice way, and I have respect for their own opinions ... "he (the boyfriend) usually tells people right off the bat ... " "What confuses me is the choice of either hurting myself or hurting other people around me." One woman made the abortion decision in order to continue the relationship with her boyfriend: "Since I met him he has been my life. I do everything for him." She

responsible for the choice she makes.	construes her decision as a sacrifice of her own needs to those of her lover.
Second Transition: From Goodness to Truth The woman begins to ask whether it is selfish or responsible, moral or immoral, to include her own needs within the compass of her care and concern; if it is possible to be responsible to herself as well as to others and thus to reconcile the disparity between hurt and care. The criterion for judgement shifts from "goodness" to "truth", as *the morality* of what one does comes to be assessed not on the basis of its appearance in the eyes of others, but in terms of realities of its intention and consequence.	"Even though it is not formed, it is the potential, and to me it is still taking a life. But I have to think of mine, my son's and my husband's, to think about, and at first I think that I thought it was for selfish reasons, but it is not. I believe that too, some of it is selfish. I don't want another one right now."
Level 3: The Morality of Nonviolence Care becomes a universal obligation, the self chosen principle of a post-conventional judgement. This obligation to care is now extended to include the woman herself. Attempt is made to reconcile the conflict between self and other, between selfishness and responsibility. There is a willingness to express and take responsibility for judgement, which stems from the recognition of the necessity of an equation between self and other.	"decision has got to be, first of all, something that the woman can live with ... and that it be based on where *she* is at and *other* people in her life, are at."

Examples from Gilligan (1977, pp 481 - 517).

Seminar given at School of Education, University of New South Wales, April 1st, 8th, 1981